(3)

CHHOK

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH

AT BILASPUR

Writ Petition No. 3686....2003

PETITIONERS : Smt. Rashmidevi Khandelwal
age about 40 years
W/o Rajesh Khandelwal
Proprietor Saurabh Steels,
2/5 Sahkari Marg, Chobey Colony,
Raipur (C.G.)

P.R. No. 3490/03
Presented by Shri Sunita Joshi
dated 6.11.03

VERSUS

RESPONDENT: 1. Bank of India
Through : Chief Manager,
Raipur Branch, IInd floor,
Ravi Bhawan, Raipur (C.G.)
A banking company constituted
under

शपथ आयुक्त
एम.के. अकलाड़े
27/11/03

2. Union of India,
Through Secretary Ministry of Law
Justice and Company Affairs
Mantralaya, Lok Nayak Bhawan,
New Delhi

3. Secretary Ministry on Finance,
Union of India,
New Delhi

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF MANDAMUS, CETIORARI, OR/AND ANY OTHER WRIT OF LIKE NATURE

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(43)

आदेश पत्रक

मामला क्रमांक W.P. 3686 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH:

HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ
& HON'BLE SHRI FAKHRUDDIN, J.

29/06/2004:-

Shri Raghvendra Pradhan counsel for the petitioner.

Shri P.S. Koshy counsel for the respondent No.1.

Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.2.

Following the decision of the Supreme Court in the matter of Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541), the writ petition stands dismissed.

However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

Jj°

[पीछे देखिये